



A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT IN THE CASE OF RONALD DIAMOND VS. THE ATLANTA EMPOWERMENT ZONE CORPORATION, SUPERIOR COURT OF FULTON COUNTY GEORGIA, CIVIL ACTION FILE NO. 2004CV79895, IN THE AMOUNT OF \$54,700.00; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT FROM FUND ACCOUNT AND CENTER NUMBER 1A01 (GENERAL FUND)-529017 (PROPERTY LIQUIDATION)-T31001 (NON-DEPARTMENTAL).

WHEREAS, *RONALD DIAMOND V. ATLANTA EMPOWERMENT ZONE CORPORATION*, is a case in which the Plaintiff, Ronald Diamond, sued the Atlanta Empowerment Zone Corporation ("AEZC") for wrongful termination. Plaintiff alleged that he was improperly removed as the Executive Director of the AEZC; and

WHEREAS, Plaintiff alleged that the AEZC informed that they were ceasing payment of Plaintiff's salary resulting in a termination; and

WHEREAS, the Plaintiff has agreed to \$54,700.00 as full settlement of all claims against the Atlanta Empowerment Zone Corporation, inclusive of attorney's fees; and

WHEREAS, the City Attorney has done extensive review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiff's claim is in excess of the settlement amount; and

WHEREAS, the settlement of the case of *RONALD DIAMOND V. ATLANTA EMPOWERMENT ZONE CORPORATION* shall not be deemed to be an admission of liability or wrongdoing on the part of the City, AEZC, or any other current or former employee or agent of the City; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$54,700.00 to settle the above-described claims.



NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. The City Attorney is hereby authorized to settle the case of *RONALD DIAMOND V. ATLANTA EMPOWERMENT ZONE CORPORATION* in the amount of Fifty-four thousand seven hundred dollars (\$54,700.00) less federal and state withholding.

SECTION 2. That the Chief Financial Officer is authorized to pay to Attorney Yolanda Johnson, on behalf of Ronald Diamond, the sum of \$54,700.00, and to charge such sum to Fund Account and Center No. 1A01(General Fund)-529017 (Property Liquidation)-T31001(Non-Departmental).

A true copy

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

June 20, 2005

June 29, 2005

		6/20/05
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSESED ON CONSENT
1. 05-O-1075	31. 05-R-1069	55. 05-R-1023
2. 05-O-1076	32. 05-R-1072	56. 05-R-1024
3. 05-O-1078	33. 05-R-0903	57. 05-R-1025
4. 05-O-1101	34. 05-R-1062	58. 05-R-1026
5. 05-O-1102	35. 05-R-1063	59. 05-R-1027
6. 05-O-1103	36. 05-R-1064	60. 05-R-1028
7. 05-O-1089	37. 05-R-1054	61. 05-R-1029
8. 05-O-1099	38. 05-R-1055	62. 05-R-1030
9. 05-O-0904	39. 05-R-1056	63. 05-R-1031
10. 05-O-0910	40. 05-R-1057	64. 05-R-1032
11. 05-O-0911	41. 05-R-1073	65. 05-R-1033
12. 05-O-0912	42. 05-R-1074	66. 05-R-1034
13. 05-O-0916	43. 05-R-1108	67. 05-R-1035
14. 05-O-0968	44. 05-R-1116	68. 05-R-1036
15. 05-O-0976	45. 05-R-1117	69. 05-R-1037
16. 05-O-1080	46. 05-R-0819	70. 05-R-1038
17. 05-O-0981	47. 05-R-1043	71. 05-R-1039
18. 05-O-0982	48. 05-R-1044	72. 05-R-1040
19. 05-O-1085	49. 05-R-1047	73. 05-R-1041
20. 05-O-1104	50. 05-R-1049	74. 05-R-1042
21. 05-O-1105	51. 05-R-1019	
22. 05-O-1106	52. 05-R-1020	
23. 05-O-0960	53. 05-R-1021	
24. 05-O-0961	54. 05-R-1022	
25. 05-R-1060		
26. 05-R-1061		
27. 05-R-1077		
28. 05-R-1098		
29. 05-R-1067		
30. 05-R-1068		

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EMPOWERMENT ZONE CORPORATION,
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COUNTY GEORGIA, CIVIL ACTION
FILE NO. 2004-CV-79895, IN THE
AMOUNT OF \$54,700.00;
AUTHORIZING THE CHIEF FINANCIAL
OFFICER TO DISTRIBUTE THE
SETTLEMENT AMOUNT FROM FUND
ACCOUNT AND CENTER NUMBER
1A01 (GENERAL FUND)-529017
(PROPERTY LIQUIDATION)-731001
(NON-DEPARTMENTAL).

APPROVED BY:

[Signature] **ADOPTED BY**
JERRY DELONCH
DEPUTY CITY ATTORNEY **JUN 20 2005**

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred
Referred To:
Date Referred
Referred To:
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

PSLA Committee

6/14/05 Date

[Signature] Chair

[Signature] Action

Fav, Adv, Hold (see rev. side)

Other

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

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Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Members

Members

Members

Members

Members

Refer To

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

JUN 20 2005

[Signature]
JUN 20 2005

MAYOR'S ACTION

APPROVED

JUN 29 2005

WITHOUT SIGNATURE
BY OPERATION OF LAW